

**BUREAU OF CHILD CARE LICENSING**  
**STATE OFFICE PARK SOUTH**  
**129 PLEASANT STREET, BROWN BUILDING, CONCORD, N.H. 03301-3857**  
**TEL. 603-271-4624 OR 1-800-852-3345, EXT. 4624**

AUG 31 2004

**STATEMENT OF FINDINGS**

**VISIT TYPE:** Unannounced Relicensing

**VISIT DATE:** 7-1-04

**CORRECTIVE ACTION PLAN DUE DATE:** 09/02/04

**LICENSE NUMBER:**

**LICENSING COORDINATOR(S):**

As a result of a re-licensing visit conducted in accordance with RSA 170-E:9, II, the department finds that the child care program has violated the following statutes and/or rules:

**He-C 4002.16(a)(8)**

PROGRAMS SHALL MAINTAIN THE CHILD CARE ENVIRONMENT FREE OF CONDITIONS HAZARDOUS TO CHILDREN, INCLUDING BUT NOT LIMITED TO HEAVY FURNISHINGS OR OTHER HEAVY ITEMS THAT HAVE NOT BEEN SECURED TO THE WALL OR FLOOR OR BOTH, AND COULD BE EASILY TIPPED OVER OR ARE UNSTABLE AND WHICH IF NOT SECURED TO THE WALL OR FLOOR OR BOTH COULD EASILY FALL ON CHILDREN AND WOULD BE LIKELY TO CAUSE INJURY.

**THIS STATUTE AND/OR RULE WAS NOT MET AS EVIDENCED BY THE FOLLOWING:**

The observation by the licensing coordinator that there were unsecured furnishings that could fall and cause injury to a child in the Kindergarten and 4 year old classrooms:

- a) A white art supply cabinet, approximately 5' high by 2' wide, that easily tipped forward when the full-length doors were open.
- b) A wooden file box used to store children's completed work, approximately 2' high by 2'5" wide, was placed on top of a smaller desk and slid back and forth when gently pushed.

**CURRENT AND FUTURE CORRECTIVE ACTION PLAN**

**COMPLETION DATE:** 7/29/04

FOR DEPT. USE ONLY	
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- a) An "L" bracket was installed on the large cabinet and on other furnishings that were similar for added safety.
- b) The "waffle mat" was placed under the file box for the remainder of the summer, making it less apt to slide - The file box is currently not used and is being removed from the classroom for the school year.

**He-C 4002.16(d)**

PROGRAMS SHALL CLEARLY LABEL ALL TOXIC MATERIALS, INCLUDING BUT NOT LIMITED TO TOBACCO PRODUCTS, CLEANERS, MEDICINES, HOUSEHOLD CHEMICALS AND PAINT AND STORE THESE ITEMS SEPARATE FROM FOOD ITEMS, IN CABINETS WHICH ARE LOCKED OR SECURED WITH CHILD PROOF LATCHES OR OTHERWISE OUT OF REACH OF CHILDREN.

**THIS STATUTE AND/OR RULE WAS NOT MET AS EVIDENCED BY THE FOLLOWING:**

The observation by the licensing coordinator that household chemicals were accessible to children in the first floor bathroom between the Kindergarten and 4 year old classrooms, including:

- a) A spray can of Lysol and 10 spray bottles of air neutralizer, labeled "Keep Out Of Reach of Children", which were stored in the cabinet under the sink without child-proof latches on the doors and drawers.
- b) A gallon of bleach, a bottle of Lysol toilet cleaner, a can of Comet cleanser and a container of odor eliminator granules, stored on an open shelf beside the toilet. The shelf was approximately 4' high and could easily be reached by children 4 years of age and older. A second, higher shelf used to store similar household cleaners could also be within reach of children who might stand on the toilet.

**CURRENT AND FUTURE CORRECTIVE ACTION PLAN**

COMPLETION DATE: 7/28/04

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All cleaning products were removed from bathrooms and put in the locked supply closet and over the sink in our kitchen.

**He-C 4002.16(a)(6)**

PROGRAMS SHALL MAINTAIN THE CHILD CARE ENVIRONMENT FREE OF CONDITIONS HAZARDOUS TO CHILDREN, INCLUDING BUT NOT LIMITED TO KNIVES AND SHARP OBJECTS OR OBJECTS WITH SHARP EDGED ACCESSIBLE TO CHILDREN...

**THIS STATUTE AND/OR RULE WAS NOT MET AS EVIDENCED BY THE FOLLOWING:**

The observation by the licensing coordinator that the baseboard heaters located in the Kindergarten classroom had missing joint covers and detached front panels, some of which were laying on the floor, so that the sharp metal edges of the front panels and interior electrical elements were exposed and accessible to children.

**CURRENT AND FUTURE CORRECTIVE ACTION PLAN**

COMPLETION DATE: 7/29/04

FOR DEPT. USE ONLY	
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All joint covers were located + put back on + crimped. A welder - is scheduled to find us a better solution when he comes in September - until then, they are attached + a stool was purchased for children to stand on near the window to hopefully stop the standing on the heaters which is the reason the covers pop off.

**He-C 4002.16(k)**

EXCEPT AS SPECIFIED IN (L) BELOW, PROGRAMS SHALL ENSURE THAT PLAY AREAS ARE ENCLOSED BY A FENCE IF THEY ARE DETERMINED BY THE DEPARTMENT TO BE UNSAFE BECAUSE THEY ARE ON A ROOF, OR LOCATED ADJACENT TO ANY OF THE FOLLOWING:

- (1) A STREET;
- (2) A ROAD;
- (3) A RIVER;
- (4) A POND;
- (5) A STREAM;
- (6) A SWIMMING POOL OR OTHER BODY OF WATER; OR
- (7) OTHER DANGEROUS AREA.

**THIS STATUTE AND/OR RULE WAS NOT MET AS EVIDENCED BY THE FOLLOWING:**

1. The observation by the licensing coordinator that 26 children, 3 years of age and older, were gathered on the unfenced front lawn, which was directly adjacent to the active driveway and parking lot leading to the busy street.
2. A statement by the person in charge on the day of the visit confirmed that during the current summer program, staff have routinely gathered children, 3 years of age and older, in the unfenced area for morning circle/meeting time and for water play. She further stated that children have also used the grassy area behind the preschool play yard fence for active play and ball games.

**CURRENT AND FUTURE CORRECTIVE ACTION PLAN**

COMPLETION DATE: 8/14/04

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All staff was informed by staff memo and review of this report in our staff meeting 8/14, that children cannot be using the outside yard due to parking lot activity. They will use our "fenced" play yards.

**He-C 4002.21(f)**

DURING ALL OPERATING HOURS AT LEAST ONE STAFF PERSON WHO IS TRAINED AND CURRENTLY CERTIFIED IN CPR AND FIRST AID SHALL BE PRESENT IN THE PROGRAM.

**He-C 4002.21(i)**

PROGRAMS SHALL MAINTAIN ON FILE, AVAILABLE FOR REVIEW BY THE DEPARTMENT, COPIES OF CPR AND FIRST AID CERTIFICATIONS AND LICENSES.

**THESE STATUTES AND/OR RULES WERE NOT MET AS EVIDENCED BY THE FOLLOWING:**

The licensing coordinator's review of the posted summer staff schedule, staff files and staff statements regarding their certifications, indicated that:

- a) There was no one currently certified in CPR scheduled to be on the premises from 4:30 to 6:00 p.m. on Thursdays and Fridays.
- b) There were only 4 out of 13 staff currently certified in first aid, however, there was no documentation of their certifications on file for review.

We received the CPR cards for 6 employees - First aid will be held Aug 30<sup>th</sup> and all are attending. The schedules were re-worked to have properly certified people working.

## CURRENT AND FUTURE CORRECTIVE ACTION PLAN

COMPLETION DATE: 8/30/04

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( See page before at bottom )

**He-C 4002.32(q) REPEAT CITATION**

CHILD CARE ASSISTANTS IN A GROUP CHILD CARE CENTER, CHILD CARE NURSERY, PRESCHOOL PROGRAM OR CENTER BASED NIGHT CARE PROGRAM, WHETHER PAID OR VOLUNTEER SHALL:

- (1) BE AT LEAST 16 YEARS OF AGE; AND
- (2) WORK WITH CHILDREN ONLY UNDER THE DIRECT SUPERVISION AND OBSERVATION OF A STAFF PERSON WHO MEETS AT LEAST THE MINIMUM QUALIFICATIONS OF AN ASSOCIATE TEACHER.

**THIS STATUTE AND/OR RULE WAS NOT MET AS EVIDENCED BY THE FOLLOWING:**

1. The licensing coordinator's review of staff files and staff statements regarding their qualifications, indicated that the 2 individuals observed working alone with the toddlers on the day of the visit and regularly scheduled to do so, had no early childhood education and were qualified only as child care assistants who must work with children only under the direct supervision and observation of a qualified staff member.
2. The individual observed working alone with 3 infants on the day of the visit stated that she had no early childhood education but believed she qualified as a teacher based on 7 years of experience, however, that experience alone would qualify her only as a child care assistant who must work with children only under the direct supervision and observation of a qualified staff member.
3. A previous corrective action plan submitted by the program and approved by the department on October 1, 2002 stated, "All staff were informed of licensing rules regarding staff ages and qualifications and the differences between teacher aids and teachers. A follow-up staff note was distributed. All staff now know not to leave teacher aids alone with children, rather only under the supervision of a teacher".

## CURRENT AND FUTURE CORRECTIVE ACTION PLAN

COMPLETION DATE: 8/1/04

FOR DEPT. USE ONLY	
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- ① A teacher; \_\_\_\_\_ has left our center. Her replacement ~~has~~ exceeds qualifications of a "teacher".
- ② \_\_\_\_\_ all enrolled in Human Growth + Develop to begin Aug 30.
- ③ I've overlapped coverage til closing to ensure a "teacher" is on during all hours of operation.

**He-C 4002.32(i)**

THE CENTER DIRECTOR OR HIS/HER DESIGNEE SHALL HAVE ON FILE AT THE PROGRAM FOR ALL CHILD CARE PERSONNEL, DOCUMENTATION OF:

(1) ALL REQUIRED PRE-SERVICE TRAINING AND EDUCATION AND IN-SERVICE TRAINING, INCLUDING BUT NOT LIMITED TO A HIGH SCHOOL DIPLOMA OR GENERAL EQUIVALENCY DIPLOMA, TRANSCRIPTS, CERTIFICATES OR DEGREES: AND

(2) ALL REQUIRED PRE-SERVICE EXPERIENCE, INCLUDING BUT NOT LIMITED TO A RESUME AND LETTERS OF REFERENCE.

**THIS STATUTE AND/OR RULE WAS NOT MET AS EVIDENCED BY THE FOLLOWING:**

The licensing coordinator's review of 7 additional staff files and staff statements regarding their qualifications, showed that there was no documentation, or incomplete documentation on file to show that 5 of those 7 individuals qualified for their positions, including:

- a) The Kindergarten teacher/ center director substitute;
- b) The lead teacher in the 4 year old classroom;
- c) Both teachers in the 3 year old classroom; and
- d) The lead teacher in the infant/toddler program.

CURRENT AND FUTURE CORRECTIVE ACTION PLAN

COMPLETION DATE: 7/29/04

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- a) \_\_\_\_\_, Director ended shortened hours and has worked 35/ week so \_\_\_\_\_ wasn't acting as "stand-in" or "job share".
- b) \_\_\_\_\_ has paid fees due to receive her transcripts & diploma - but is still waiting for them. I spoke w/ Dept Head at \_\_\_\_\_ to confirm.
- c) All teachers have updated their transcripts and certifications - \_\_\_\_\_ was moved to work with so she wouldn't be leading a class.
- d) \_\_\_\_\_ left - her replacement has a Bachelor's Degree - \_\_\_\_\_ enrolled in Human Growth & Development.

**REMINDER:**

The railing around the deck outside the 2<sup>nd</sup> floor classroom is detached from the building. All staff must be informed that the deck cannot be used as an exit or for storage of play equipment unless or until the railing is secured.

*Deck railing was repaired + cleaned off.*

**RECOMMENDATIONS:**

1. The licensing coordinator recommends that you remove or place child protectors on the bi-fold doors of the art supply closet located in the Kindergarten classroom. *Purchased + installed bi-fold door lock*
2. The licensing coordinator recommends that you remove the mold and mildew from the basement of the Tot Spot building and create air circulation while the building is unoccupied this summer. *Bleached + taken care of.*
3. The licensing coordinator recommends that you replace the soiled and stained wall-to-wall carpeting with linoleum and easily replaceable area rugs in the Tot Spot building for infants and toddlers; and also consider a policy of "no street shoes" in that building.
4. Staff should discontinue stepping over safety gates while holding infants and/or toddlers to avoid tripping and possibly dropping a child. There are safety gates that open with "hands-free" foot-activated mechanisms so that staff can step through the open gate while safely holding a child with both arms.

*Staff was instructed Not to step over gates w/ children.*

*Carpet was replaced at Tot Spot.*

*New VCT was installed in Tot Spot.*

*Thorough cleaning was done of both buildings -  
2 rooms were painted -*

OWNER/APPLICANT SIGNATURE: \_\_\_\_\_

DATE: 8/24/04

DIRECTOR/PROVIDER SIGNATURE: \_\_\_\_\_

DATE: 8/24/04

**FOR DEPARTMENT USE ONLY**

- ☒ \* **APPROVED** (EACH ITEM IN THE CORRECTIVE ACTION PLAN HAS BEEN **APPROVED**)
- ☐ \* **DISAPPROVED** (A REVISED CORRECTIVE ACTION PLAN WILL BE REQUIRED FOR THE ITEMS MARKED **DISAPPROVED** IN THE RIGHT HAND COLUMN.)

LICENSING COORDINATOR: \_\_\_\_\_

DATE: 9/13/04

**FOLLOW-UP:**

*9/13/04  
Phone Call to program to confirm future compliance  
on all violations w/ Staff member in charge 1/2 day.*